

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 DHA-02 CIAE-00 COME-00 EB-08 INR-07

LAB-04 NSAE-00 SIL-01 DODE-00 PM-05 H-01 L-03

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 ACDA-07

IO-13 OMB-01 TRSE-00 /097 W

-----114440 060843Z /15

R 051422Z AUG 77

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 6033

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E.O. 11652: N/A

TAGS: SHUM, PINT, PE

SUBJECT: CURRENT HUMAN RIGHTS CLIMATE IN PERU

REF: LIMA 6225

SUMMARY: EMBASSY HAS BEEN STRUCK RECENTLY BY THE GROWING EMPHASIS ON THE HUMAN RIGHTS ISSUE IN PERU, THE APPARENT DISTANCE BETWEEN THEORY AND PRACTICE WITH REGARD TO GOP OBSERVANCE OF HUMAN RIGHTS AND A NEW WILLINGNESS ON PART OF THE GOVERNMENT TO ALLOW PUBLIC DEBATE ON ISSUE. END SUMMARY.

1. THE CATALYSTS FOR THESE PHENOMENA APPEAR TO BE MRS. CARTER'S VISIT IN EARLY JUNE AND THE WIDESPREAD DISTURBANCES AND STRIKES PROVOKED BY THE IMPLEMENTATION OF AN ECONOMIC AUSTERITY PROGRAM ON JUNE 10. AS A DIRECT RESULT OF MRS. CARTER'S VISIT, THE GOP HAS NOW SIGNED THE AMERICAN CONVENTION ON HUMAN RIGHTS. THE JUNE DISTURBANCES, IN WHICH A NUMBER OF PEOPLE WERE KILLED (LIMA 6225), PROVOKED A STINGING REBUKE TO THE GOVERNMENT IN THE FORM OF A PASTORAL LETTER FROM THE BISHOPS OF THE AREA MOST AFFECTED (LIMA 5945), WHILE THE IMMEDIATE RESULT OF THE JULY STRIKES WAS THE DETENTION OF A LARGE NUMBER OF LABOR LEADERS.

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2. THE BROADER RESULT OF THE FERMENT OF THE LAST TWO MONTHS HAS BEEN GROWING PUBLIC DEBATE IN PERU ON HUMAN RIGHTS AND AN APPARENT AWARENESS ON THE PART OF THE GOP OF THE SENSITIVITY OF THE ISSUE. WITHIN THIS CONTEXT THE DIVERGENCE BETWEEN THE IDEAL AND THE REAL WITH REGARD TO THE HUMAN RIGHTS SITUATION IN PERU BECAME APPARENT. FOR INSTANCE,

PERU'S ADHERENCE TO THE AMERICAN CONVENTION ON HUMAN RIGHTS ON JULY 27 COINCIDED WITH A GOVERNMENT DECREE AUTHORIZING EMPLOYERS TO DISMISS LABOR LEADERS AND AGITATORS FOR THEIR PARTICIPATION IN THE JULY 19 GENERAL STRIKE. (STRIKES HAVE BEEN DECLARED ILLEGAL UNDER THE PRESENT STATE OF EMERGENCY AND SUSPENSION OF CONSTITUTIONAL GUARANTEES.) THE PERUVIAN AMBASSADOR TO THE OAS, IN SIGNING THE CONVENTION, DECLARED THAT PERU'S ADHERENCE TO THE AGREEMENT WAS IN KEEPING WITH THE "PROFOUND HUMANISTIC SPIRIT" OF THE REVOLUTION, A THEME ALSO PROMINENT IN PRESIDENT MORALES BERMUDEZ' INDEPENDENCE DAY ADDRESS ON JULY 28, (ALTHOUGH HE DID NOT MENTION HUMAN RIGHTS PER SE). A JULY 30 EDITORIAL IN GOP CONTROLLED EL COMERCIO ALSO REFERS TO THE HUMANISTIC NATURE OF THE PERUVIAN "PROCESS" AND IN A STRANGE TWIST OF LOGIC SAYS THAT THE SIGNING OF THE CONVENTION IS PARTICULARLY SIGNIFICANT NOW, WHEN, AS A RESULT OF ECONOMIC DIFFICULTIES, SOCIAL UNREST HAS INCREASED.

3. GOP OPENESS ABOUT HUMAN RIGHTS AND WILLINGNESS TO ALLOW DEBATE ARE ALSO EVIDENT IN RECENT PRESS ARTICLES. FOR EXAMPLE, ONE REVEALED THAT MORE THAN 500 COMMUNIST-AFFILIATED LABOR LEADERS FROM ALL OVER PERU ARE CURRENTLY DETAINED FOR PARTICIPATION REAL OR "INTELLECTUAL" IN THE RECENT GENERAL STRIKE AND THE CENTROMIN MINERS STRIKE. THE ARTICLE QUOTES AN UN-NAMED OFFICIAL TO THE EFFECT THAT THE LABOR LEADERS WERE WARNED OF THE CONSEQUENCES OF THEIR ACTIONS AND NOW MUST PAY THE PRICE. SIMILARLY, A LETTER TO PRESIDENT MORALES BERMUDEZ FROM THE BANK EMPLOYEES LIMITED OFFICIAL USE

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CONFEDERATION REQUESTING IMMEDIATE FREEDOM FOR LEADERS ARRESTED IN CONNECTION WITH THE JULY 19 STRIKE WAS PUBLISHED IN AUGUST 3 CORREO, ALSO GOP-CONTROLLED. MOST SIGNIFICANTLY LA PRENSA JULY 31 PUBLISHED ALONG COMMUNIQUE, SIGNED BY A NUMBER OF INTELLECTUAL FIGURES, CHURCH LEADERS, AND LEFTIST SYMPATHIZERS WITH THE SO-CALLED FIRST PHASE OF THE REVOLUTION (THE VELASCO ADMINISTRATION) CALLING ATTENTION TO THE INCONGRUITY BETWEEN THE GOP'S PUBLIC ESPOUSAL OF HUMAN RIGHTS AND ITS INABILITY TO PREVENT "TORTURE" AND ABUSES BY LOCAL POLICE AUTHORITIES. THE DECLARATION CALLS ON THE GOP TO FOLLOW UP ON INVESTIGATIONS AND PROVIDE EXHAUSTIVE, CREDIBLE INFORMATION ON INDIVIDUAL CASES OF HUMAN RIGHTS ABUSES. (THIS DEMAND ECHOES ONE OF THE KEY POINTS RAISED BY THE PASTORAL LETTER. THE SIGNERS OF THE DECLARATION ALSO URGE: --ABROGATION OF THE 1974 DECREE MAKING POLITICAL OFFENSES TRYABLE IN MILITARY COURTS; -- REVISION OF RECENT LAWS EXEMPTING MILITARY FROM TRIAL IN CIVILIAN COURTS; --IMPROVED CONDITIONS FOR POLITICAL AND COMMON CRIMINALS IN PERUVIAN JAILS; --EXPEDITIOUS TRIALS AND SENTENCING;

--GREATER RESPECT FOR SOCIAL AND ECONOMIC RIGHTS; AND
--EFFORTS TO ASSURE REGIONAL PEACE SO THAT PERU WILL NOT
BECOME INVOLVED IN AN ARMS RACE TO THE DETRIMENT OF NATIONAL
SOCIAL AND ECONOMIC DEVELOPMENT.

4. COMMENT: THE RECENT EMPHASIS ON HUMAN RIGHTS, FAIR DEGREE OF
OPENNESS ABOUT PERU'S SHORTCOMINGS IN THIS AREA AND AN
APPARENT WILLINGNESS BY THE GOVERNMENT TO ALLOW PUBLIC CRITICISM
ARE NEW, RATHER REFRESHING PHENOMENA IN PERU. TO A DEGREE
THEY COUNTER-BALANCE THE NEGATIVE EFFECT RESULTING FROM THE
ENERGETIC, SUPPRESSION OF RECENT
DISTURBANCES AND STRIKES.
PRESIDENT MORALESBERMUDEZ' INDEPENDENCE DAY ANNOUNCEMENT THAT A
CONSTITUENT ASSEMBLY WOULD BE HELD IN 1978, IN ANTICIPATION
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OF A RETURN TO AN ELECTED CONSTITUTIONAL REGIME IN 1980,
(LIMA 6387) MAY RELIEVE SOME OF THE PRESSURE ON THE GOP
WITH REGARD TO CIVIL AND POLITICAL LIBERTIES. ECONOMIC
MEASURES DESIGNED TO APPEAL TO MOST PERUVIANS, INCLUDING
ACROSS THE BOARD WAGE INCREASES ANNOUNCED AUGUST 3
(SEPTEMBER), MAY HELP TO LESSEN FUTURE POPULAR DISTURBANCES,
AT LEAST IN THE SHORT TERM. GREATER OPENESS ON THE
PART OF THE GOP AND A GROWING TENDENCY TOWARD HEALTHY
DEBATE ARE CLEARLY POSITIVE TENDENCIES ALTHOUGH WE
HAVE NO DOUBT THAT ISOLATED ABUSES ON THE PART OF
LOCAL OR SUBORDINATE POLICE OFFICIALS WILL CONTINUE
TO OCCUR FROM TIME TO TIME, AND THAT THE GOP WILL
CONTINUE TO USE WHATEVER MEANS NECESSARY TO CONTROL
SECURITY SITUATION. WE CONTINUE TO BELIEVE, HOWEVER,
THAT THE MORALES BERMUDEZ GOVERNMENT IS NOT FOLLOWING
A CONSCIOUS, WIDESPREAD OR SYSTEMATIC POLICY OF RE-
PRESSION OF HUMAN RIGHTS AND THAT PROSPECTS FOR
IMPROVED CONDITION WILL BE REASONABLY GOOD IF THE
GOP MAINTAINS THE COMMITMENT TO TRANSFER POWER TO AN
ELECTED GOVERNMENT IN 1980.
SHLAUDEMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, POLITICAL FREEDOM, POLITICAL SITUATION
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770282-0710
Format: TEL
From: LIMA
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1977/newtext/t19770893/aaaadays.tel
Line Count: 158
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Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
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Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 LIMA 6225
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1700214
Secure: OPEN
Status: NATIVE
Subject: CURRENT HUMAN RIGHTS CLIMATE IN PERU
TAGS: SHUM, PINT, PE
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/44fa6f61-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009